

OCS Weekly Bulletin

November 9, 2007

Upcoming OCS Events & Diversity Fellowships, Resources & Job-Related Articles

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About OCS

The Office of Career Services (OCS) serves as a bridge between students, alumni and employers. The staff helps students and alumni to shape and realize their career goals. We also provide counseling, workshops and resources on judicial clerkships, international opportunities and non-law alternatives.

OCS is open Monday through Friday from 8 a.m. to 5 p.m. The office is located on the first floor in Room 143 in the Law School's office building on Nathan Abbott Way.

Upcoming OCS Events

- **Interview Workshop**- November 14
- **Mock Interviews**- November 26-30

Interview Workshop

November 14, 12:45 PM, Room 190

Come review your interview skills and learn how to make your mark at your summer job interviews!

Mock Interviews (for 1Ls only)

November 26-30

The purpose of this program is to give first-year students an opportunity to practice interviewing before they begin the summer job application process. Attorneys from local firms volunteer their time to assist us in this program. Each session is set up so that there is an "interview", which is followed by feedback and constructive critique.

OCS is going to do sign-ups using Google Docs to facilitate the process and save you a trip into the office. Follow this link to access the spreadsheet: <http://docs.google.com>.

- Use your e-mail address (the one to which your initial Google Docs invitation was sent) to set up an account with Google. REMEMBER your login & password, for OCS will be using Google Docs for this kind of thing again. You might want to make your password the same one as you use for Simplicity. We won't have this information!
- Sign up FOR ONE spot on the calendar.
- Please don't overwrite someone else's name (the document isn't locked).
- If you have any questions, please feel free to contact Lee Kite at lkite@law.stanford.

Diversity Fellowship Information- Online!

For a current list of firms offering diversity fellowships, go to NALP's website at:
<http://www.nalp.org/content/index.php?pid=55>

Attention 1Ls: Several firms offer diversity fellowships to 1Ls. This usually includes a scholarship amount and a place in their summer program. For some firms, the only 1Ls they hire are through these programs, so it's worth taking a look. Just click on the link above, or go to www.nalp.org and click on Resource Center, Diversity, Diversity Initiatives.

Helpful OCS Resources

Interested in Entertainment and/or Sports Law? Want to work at a firm but need help finding the right one? The *OCS Job Search Publications* and *Private Sector* sections of the website have some great resources! Here are just a few:

OCS Job Search Publications

http://www.law.stanford.edu/experience/careers/ocs/students/#ocs_job_search_publications

- General Counsel Directory for Entertainment (Studios, Television and Music)
- General Counsel Directory for Sports Organizations
- Top 12 Things Law Students Should Know About the Washington, D.C. Law Firm Market
- Finding the Right Firm for You

Private Sector- Resources

http://www.law.stanford.edu/experience/careers/ocs/students/careers_in_law/private_sector

- General Job Search Advice
 - Law Firms- General Advice
 - Law Firms- Researching (*this resource includes a link to online Vault Guides*)
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Career-Related Articles

- **McDermott Will to Add Lower-Paid Associates**..... Pages 2-3

With soaring associate salaries, rising litigation costs and GCs' resistance to it all, something has to give. McDermott, Will & Emery plans to create a new tier of attorneys -- think of them as permanent contract associates -- to handle lower-end tasks at lower billing rates. The new hires -- the firm is looking into starting with a pilot group of 15 -- will be lawyers "with good pedigrees" who have practiced for a few years but don't want to deal with big-firm hours, says partner Robert Mallory.

- **Why Are Minority Female Associates Leaving Law Firms?**.....Pages 3-

It's no secret that most associates don't plan on spending their entire legal careers at one law firm. But some are more likely to head for the exits than others. Nearly half of all white male midlevel associates say they expect to be working at their current firm in five years, our Minority Experience Study shows. About 40 percent of minority male midlevels said the same. Of the minority female midlevels, fewer than a third planned to stay put. Why the difference? Our survey uncovers some reasons.

McDermott Will to Add Lower-Paid Associates

Kellie Schmitt

The Recorder

November 2, 2007

With soaring associate salaries, rising litigation costs and general counsel's resistance to it all, something has to give.

While some firms quietly turn to contract attorneys or even ship grunt work overseas, McDermott, Will & Emery plans to create a new tier of attorneys -- think of them as permanent contract associates -- to handle lower-end tasks at lower billing rates.

"In a market where high compensation for lateral partners, lateral associates and associates are creating pressures, we're trying to bring the best quality service at the lowest price to our clients," said Robert Mallory, a partner in the L.A. trial group. "We live in a very competitive world."

First-year associates at big firms now earn \$160,000. Meanwhile, electronic discovery has dramatically increased the amount of basic work that usually goes to those high-priced associates.

"This is a topic of great importance, since the cost of document review has become intolerable for everyone," said David Balabanian, the head of Bingham McCutchen's litigation group.

While hiring contract attorneys is nothing new, creating a second class of full-timers is.

It's probably a smart move, said Susan Hackett, the general counsel of the Association of Corporate Counsel. General counsel already fed up with high legal costs have been known to hire contract attorneys themselves or force firms to hire the cheaper outside help.

"Firms may be starting to think, 'Hey, we might as well meet the demand instead of being corralled into working with people we don't know and whom we don't make a profit from,'" Hackett said. "I think McDermott is on a good mission: 'Let us find a way to make the cost more reasonable so you'll continue to hire us.'"

At a firm retreat in October, the 1,000-lawyer firm decided to create a cadre of staff lawyers outside the partnership track who will be paid less, work less and charge less per hour. Having a flexible separate staff to move from big litigation to big litigation could help McDermott make the best use of its high-priced associates.

The idea is that the new hires -- the firm is looking into starting with a pilot group of 15 -- will be lawyers "with good pedigrees" who have practiced for a few years but don't want to deal with big-firm hours, Mallory said. Instead, they'll put in more like 30 to 40 hours and be paid something like 25 percent less, though an exact pay range hasn't been decided.

"They'll have a status within our structure that's brand-new," Mallory said. "I don't know what we'd call them -- this is a new animal."

These attorneys will probably be housed in a similar fashion to accounting firms, rotating desks with no home base.

The new class of attorneys will probably take some of the more mundane tasks like document review off the plates of more expensive associates on the partnership track.

"The idea isn't that this will be a training ground," he said. "This isn't a path into the firm."

REACTION AND IMPLICATIONS

Hackett predicted that McDermott's plan could have broad-reaching effects, both positive and negative for associates.

It could free associates to work on more interesting matters, but it may also threaten their salary leverage -- and their jobs.

"Unless new work is generated for associates in the regular tier, it could make them nervous: 'I might be extinct in this firm,'" she said.

Mallory said he doesn't think associates will feel threatened by the new group.

"I believe it will be embraced because it will take some of the more routine work they'd be doing off the table," he said.

Hackett said the McDermott program could create more options in big law firms, where young attorneys could decide whether to gun for partnership or take a more lifestyle-oriented approach to big law.

One consultant noted that while contract attorneys are nothing new, McDermott's plan to openly use lower-paid attorneys who aren't on the partnership track makes an interesting statement.

"I think firms worry about whether it will affect the perception of their high-quality brand and what it takes to be a

lawyer at their firms," said consultant Peter Zeughhauser. "They've obviously gotten over it, because they do it, but they aren't ready yet to tell the world."

COST CONSCIOUSNESS

McDermott isn't the only firm scrambling to bring down legal bills without cutting profits.

"If litigation becomes uneconomic," said Bingham's Balabanian, "everyone's going to suffer, so it's a shared challenge."

New York-based SQ Global Solutions offers to ease litigation burdens by sending low-end legal work -- such as document review -- to lawyers in India. Alan Gershowitz, the former Skadden attorney who runs the company, said law firms often turn to SQ Global on big-volume cases. It's like using contract attorneys, only cheaper: Indian attorneys bill at \$25 to \$35 an hour, a dramatic savings that outside firms may -- or may not -- pass to clients.

But William Urquhart, a partner with Quinn Emanuel Urquhart Oliver & Hedges, questioned how much law firms could or would utilize that approach.

"In high-stakes litigation, it would be giving up too much control," Urquhart said. "A document that might seem harmless might be the key to victory, and we'd be really fearful that sort of thing would be missed."

Reed Smith's Janet Kwuon, a partner and director of complex litigation e-discovery, agreed. "There is this pressure to keep cost down, but at the same time, if you don't do it right, there's a huge sanctions risk."

Balabanian added that missing something could create enormous problems, though he predicted the practice could catch on.

"In time, vendors could establish themselves and their track records, and it could be just like using a reporting service," he said.

Hackett said clients will continue to put pressure on law firms to find solutions, whether it's contract attorneys, outsourcing or a plan like McDermott's.

"The cost of litigation is a great concern as associates become more and more expensive," she said.

Career-Related Articles (cont.)

Why Are Minority Female Associates Leaving Law Firms?

D.M. Osborne

The Minority Law Journal

11-07-2007

It's no secret that nowadays most associates don't plan on spending their entire legal career at one law firm. But some associates are more likely to head for the exits than others. Nearly half of all white male midlevel associates say that they expect to be working at their current firm in five years, according to our Minority Experience Study. Just over 40 percent of minority male midlevels said the same. Of the minority female midlevels, though, fewer than a third planned to stay put.

Minority women seem to have more reason to want to leave big firms, according to our findings. This year, for the first time, we looked at both gender and racial patterns in survey responses from midlevel associates about their working life. With some exceptions, we found that midlevels' assessments of big-firm life track along gender lines more closely than they correlate by race. The gaps in scores were small, and all groups were generally positive about their firms. Still, the score differences added up to a consistent pattern that showed women of color experiencing less satisfaction and more obstacles at large firms than their peers, including men of color.

Women in general were less comfortable with the status quo -- but minority female midlevels ranked their firms lower in categories almost across the board. They were least likely to recommend their firms to a job-seeking friend and least inclined to identify with partners, and they graded their firms more harshly overall. Minority men shared some of the same frustrations, especially regarding aspects of their dealings with partners, but in general, men of all races gave their firms higher marks than did white or minority women. Summer associate responses showed some of the same racial and gender divides, although they were far less pronounced.

Firms take note: The question of how to build more racially inclusive law firms is not just about race. "It's a color issue, but it's also a gender issue," says diversity adviser Kathy-Ann Hart of New York's Verna Myers Consulting Group, LLC. "And gender has not historically been part of the [racial] diversity dialogue."

As in previous years, the data for the Minority Experience Report comes from responses to the Midlevel Associates Survey, conducted by our sibling publication *The American Lawyer* last spring, and the Summer Associates Survey, conducted by *The American Lawyer Student Edition* last summer. The report is based on the responses of 6,356 midlevel associates who identified their gender and their racial background and of 6,969 summer associates who did the same. (The 816 midlevels and 423 summer associates who did not identify their gender or race were not included in the Minority Experience Study.)

Broken down by gender lines, the midlevels included 468 minority men (7.4 percent of all midlevels supplying diversity information) and 525 minority women (8.3 percent of all midlevels supplying diversity information). Of the law students surveyed, 856 were minority men (12.3 percent) and 1,040 were minority women (14.9 percent). Midlevel responses came from 189 firms, and summer associate responses from 195 firms. Most firms were on the Am Law 200 list of the highest-grossing firms in the nation.

Our findings are based on responses from midlevel associates only, since the gap in attitudes between men and women, regardless of color, was most noticeable among midlevels. Although data from the summer associates survey, including their written responses, echoed the sentiments expressed by the midlevels in some respects, the differences between the genders and racial groups were too small to warrant much comment. We also felt that the midlevel associates probably had a better understanding of their firms than the summer associates did.

Among the midlevels, the minority men included 91 African-Americans, 262 Asian-Americans, and 115 Hispanics. The minority women included 137 African-Americans, 291 Asian-Americans and 97 Hispanics. Unfortunately, these numbers were so small, compared with the overall number of survey responses, that we felt that we could not produce a meaningful analysis based on both individual racial categories and gender. Generally,

we observed that African-American and Hispanic women rated their firms lower in most categories than Asian-American and white women. African-American men tended to give their firms lower marks in most categories than white, Asian-American and Hispanic men. (See "Diversity of Opinion," Fall 2006, for more discussion of different perspectives among racial groups at law firms.)

As a group, though, minority men seemed relatively content. Their responses tracked closely with those of both white men and women in questions relating to work. All three groups gave almost identical high marks to the quality of work assigned and its level of interest. Likewise, minority men, white men and white women professed themselves satisfied with their work and said that they felt they were growing professionally at their firms.

Minority men and white men found themselves in agreement in other key areas. Male midlevels of all races reported more client contact than women did. Men were more likely to say that they aspired to be like the partners in their firms and that they wanted to become partners themselves. Both minority and white men were more likely to recommend their firm to others, and they gave their firms higher marks overall. The male midlevels also thought they'd probably be at the same firm two years down the road, more so than their female counterparts did.

"Men of color are learning what they need to do to take charge of their career, build networks and get integrated into firms," says diversity consultant Arin Reeves, president and founder of The Athens Group in Chicago. There are "more examples of men of color who are succeeding ... as partners," Reeves adds. "Now, when men of color reach out, white men will pull them in." As a black male partner at one of *The American Lawyer's* A-List firms said in an interview: "Young men of color are feeling the love" from firms that are trying harder to improve their diversity.

Minority women are feeling less love, judging from our survey results. They gave firms lower marks than all

Career-Related Articles (cont.)

Why Are Minority Female Associates Leaving Law Firms?

(continued from page 4)

other groups did in almost every category, including quality of work, interest level of work, satisfaction with work and professional growth. White women gave somewhat similar answers on some issues, such as client contact, the importance of partnership, how much they aspired to be like the partners in their firm, whether they would recommend their firms, how they rated their firm overall and whether they would be at the firm in two years. Yet the responses from minority women were consistently more negative than those of white women.

"It does seem that the combination of being a racial minority and being a woman creates a double layer of difference that's a huge component in a midlevel attorney's experience," observes Marla Butler, an Atlanta-based black partner at Robins, Kaplan, Miller & Ciresi who serves on the firm's diversity committee.

In a few areas, the gap between minority female midlevels and other groups seemed like a chasm. Most dramatically, minority women rated their firm's dedication to diversity more harshly than any other group, including minority men. When it came to assigning work, minority women thought the distribution of work less fair than white men did; white women and minority men were somewhere in the middle. Likewise, minority women felt that they had been given less responsibility than white men did.

Not surprisingly, perhaps, 13.5 percent of minority female midlevels said they were actively seeking a new job, the highest percentage of any group.

In written comments, many minority women complained that they felt at a disadvantage -- "shut out," as one Asian-American third-year associate phrased it -- in landing good work and opportunities for professional development. An African-American third-year associate who shared this view noted that in her experience, "feedback is rare." As a result, she wrote, "progress comes slowly or not at all. This leads to a feeling of powerlessness at a point when it seems too late to move on."

"Women of color don't get the experience of their white male counterparts," asserts Paulette Brown, an African-American

partner and chief diversity officer at Edwards Angell Palmer & Dodge in Short Hills, N.J. An outspoken diversity advocate, Brown last year co-authored an American Bar Association report that found that minority female lawyers face more obstacles at big firms than their male minority peers.

Big-firm partners tend to overlook and underestimate the abilities of minority women lawyers, Brown says: "Many of the people who still have control and power in law firms have had no relationships with women of color in any form other than their nannies or housekeepers." Bearing out her argument, female minority midlevels gave firms the lowest rating on the relations between partners and associates. Robins Kaplan's Butler, however, argues that minority women can push for change themselves. "They've got to get over the intimidation factor, and deliberately reach outside of their own comfort zones," Butler says. "Take the risk that the person you're reaching out to may have some discomfort. Just stay very aware of the social dynamics that are at issue, and resist the urge to take things personally."

Communications with partners seemed to be a more problematic area for both minority men and women. Midlevel associates from all groups agreed that they had plenty of opportunities to work with partners -- but midlevels of color reported slightly fewer opportunities to socialize with partners. The minority associates surveyed also felt that evaluations were less fair than their white counterparts did.

All midlevels -- but especially midlevels of color -- gave firms mediocre marks for not communicating clearly enough about what it takes to make partner. Minority associates also felt that they were less privy to firm financials. For example, a male African-American fourth-year associate summed up his views this way: "I would [appreciate] more disclosure from management about finances and strategies and a clearer understanding of what it takes to make partner." And an Asian-American male fourth-year concurred in his comments: "Management is secretive on all administrative issues, from partnership prospects to hiring decisions."

In questions dealing with work-life balance, responses from minority and white women were closely aligned. Both found their firms less family-friendly than men did. Asked if they were willing to accept a pay cut in exchange for a reduction in billable hours requirements, minority women were slightly less willing than white women to say yes. Compared with men, all women put a smaller premium on partnership, and they overwhelmingly favored alternative tracks to partnership.

The lesson for firms? Our data suggests that firms have a great, untapped opportunity as they struggle to keep talented minority lawyers: By focusing more on retaining female associates of color, they may be able to reap some important gains. One of the biggest areas for improvement, according to our survey, lies with the assignment and evaluation system. If firms can ensure that female minority lawyers have access to the same high-quality work that their male peers do, and the same kind of informal, one-to-one feedback at the end of each assignment, they may go a long way toward eliminating one of the biggest causes of dissatisfaction among the minority women in their associate ranks. Addressing work-life balance issues will also help retain women of all races. Making more intangible changes, such as improving communications and relations between white partners and minority associates, is more difficult -- but crucial to building diversity. That's increasingly clear to white lawyers as well as minority lawyers, as one white female fourth-year associate noted in her comments.

"In many cases [at my firm], female associates, associates of color, and gay associates are not treated as well as straight male associates," she wrote. "This doesn't seem intentional. It is just that the partners do not feel comfortable with associates who are unlike them ... [and these] associates feel very marginalized. ... The firm is probably wondering why it can't keep female and minority associates -- well, this is the answer."

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Elizabeth is responsible for all aspects of the judicial clerkship application process and manages the legal recruiting program for advanced degree students. She is available to counsel all students on career planning and job-search strategies for private sector as well as judicial clerkship and externship opportunities.

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Lee Kite is a Private Sector Counselor with more than 17 years of experience in legal recruiting and she advises students on private sector careers and options. She has reviewed thousands of resumes, interviewed and evaluated candidates, and served as an informal counselor to summer and new associates.

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Maureen advises students on international career strategy and development. She also oversees the legal recruiting program for foreign trained lawyers in the advanced degree programs and works with firms and organizations to expand international opportunities for Stanford students.

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Melissa Leger runs both the Fall and Spring Campus Interviewing Programs, and is the primary liaison between students and the employers who recruit them.

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Renee is the primary contact for the office and works closely with employers who wish to recruit Stanford Law School students and alumni. She also provides technical assistance with the online jobs search database and helps coordinate the spring and fall Campus Interviewing Programs.